

ASSEMBLY BILL

No. 176

**Introduced by Assembly Member Jones
(Principal coauthor: Assembly Member Beall)**

January 23, 2007

An act to amend, repeal, and add Section 11475.3 of the Welfare and Institutions Code, relating to CalWORKs.

LEGISLATIVE COUNSEL'S DIGEST

AB 176, as introduced, Jones. CalWORKs: child support.

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families.

Under existing law, a recipient of CalWORKs aid is required to assign to the county any rights to support from any other person that the recipient may have, on his or her behalf, or on behalf of any other family member for whom the recipient is receiving aid, not exceeding the total amount of CalWORKs cash assistance provided to the family. Existing law also requires the first \$50 of any amount of child support collected in a month in payment of the required support obligation for that month to be paid to a recipient of CalWORKs aid, except as specified.

This bill, commencing October 1, 2008, would increase the amount of child support to be paid to a recipient of CalWORKs aid from any amount of child support collected during a month in payment of the required support obligation, to \$100 for a recipient with one child, or

\$200 for a recipient with 2 or more children. To the extent that it would increase duties of counties in administering the CalWORKs program, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 11475.3 of the Welfare and Institutions
2 Code is amended to read:

3 11475.3. (a) The first fifty dollars (\$50) of any amount of
4 child support collected in a month in payment of the required
5 support obligation for that month shall be paid to a recipient of aid
6 under this chapter, except ~~recipients of that~~ foster care payments
7 under Article 5 (commencing with Section 11400) shall not be
8 considered income or resources of the recipient family, and shall
9 not be deducted from the amount of aid to which the family would
10 otherwise be eligible. The local child support agency in each county
11 shall ensure that payments are made to recipients as required by
12 this section.

13 (b) *This section shall remain in effect only until October 1, 2008,*
14 *and as of that date is repealed.*

15 SEC. 2. Section 11475.3 is added to the Welfare and
16 Institutions Code, to read:

17 11475.3. (a) (1) For a recipient of aid under this chapter with
18 one child, the first one hundred dollars (\$100) of any amount of
19 child support collected during a month in payment of the required
20 support obligation shall be paid to that recipient.

21 (2) For a recipient of aid under this chapter with two or more
22 children, the first two hundred dollars (\$200) of any amount of
23 child support collected during a month in payment of the required
24 support obligation shall be paid to that recipient.

1 (b) Notwithstanding subdivision (a), foster care payments under
2 Article 5 (commencing with Section 11400) shall not be considered
3 income or resources of the recipient family, and shall not be
4 deducted from the amount of aid to which the family would
5 otherwise be eligible.

6 (c) The local child support agency in each county shall ensure
7 that payments are made to recipients as required by this section.

8 (d) This section shall become operative on October 1, 2008.

9 SEC. 3. If the Commission on State Mandates determines that
10 this act contains costs mandated by the state, reimbursement to
11 local agencies and school districts for those costs shall be made
12 pursuant to Part 7 (commencing with Section 17500) of Division
13 4 of Title 2 of the Government Code.